

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

V.

## WILLIAM WYATT REID,

Defendant.

CASE NO. CR11-5511 BHS

ORDER DENYING DEFENDANT'S  
MOTION TO COMPEL

WILLIAM WYATT REID,

Defendant.

This matter comes before the Court on Defendant William Wyatt Reid’s (“Reid”) motion to compel (Dkt. 66).

On December 31, 2013, Reid filed the instant motion requesting that the Court order “the Government to disclose statements by witnesses from the probation department.” Dkt. 66.

Specifically, Reid requests “all statements that were recorded by probation department witnesses in connection with Mr. Reid’s case . . . .” *Id.* at 3. In the Ninth Circuit, however, a defendant is not entitled to his probation officer’s notes unless the Government uses the notes against the defendant. *United States v. Donaghe*, 924 F.2d 940, 944 (9th Cir. 1991). Therefore, the Court denies Reid’s motion. Reid may renew the motion if the Government expresses intent to use or uses the information against him at the revocation hearing.

## IT IS SO ORDERED.

Dated this 21<sup>st</sup> day of February, 2014.

  
BENJAMIN H. SETTLE  
United States District Judge